

the State of Colorado might bring for natural resources damages resulting from past discharges of hazardous substances at or from Rocky Flats; and

(3) Give the Interior Department two additional methods (either instead of or in addition to purchase for cash) for completing such acquisitions—namely: by giving “credits” that could be used instead of cash to pay for oil and gas leases on the Outer Continental Shelf; and/or by allowing federal lands or minerals anywhere in the country to be exchanged for the Rocky Flats minerals (under current law, such exchanges can only occur within the same state—Colorado lands/minerals for other Colorado lands/minerals).

The bill has no compulsory provisions. It would not require that any of the non-Federal interests at Rocky Flats be acquired by the government. It also would not require the owners of any mineral rights to sell any of those rights or to accept anything other than cash for any interests that they decide to sell. Any purchase of mineral rights, any transaction involving the new “credits,” or any exchange could take place only with the concurrence of the party selling minerals to the United States.

In addition, the bill includes a provision to make clear that the Federal Government cannot expand the Rocky Flats site by obtaining any non-Federal lands or interests in lands that are outside the site’s boundaries except with the consent of the owners of those lands or interests.

In developing earlier bills on this subject, I sought and obtained technical assistance from the Interior Department, gave careful consideration to comments from local governments and others in Colorado, and made revisions to earlier drafts of the legislation in response to points raised in those comments.

The additional provisions in the bill I am introducing today reflect not only the legislation introduced in the Senate but also helpful suggestions by the Rocky Flats Coalition of Local Governments (RFCLOG) and others.

Mr. Speaker, this bill—the “Rocky Flats Minerals Acquisition Act”—is intended to assist in successful implementation of something that is very important for all Coloradans—the establishment of the Rocky Flats National Wildlife Refuge. I think it deserves the support of every Member of the House.

For the information of our colleagues, here is a section-by-section outline of the bill:

SECTION-BY-SECTION OUTLINE

Section 1—

(1) provides a short title: “Rocky Flats Minerals Acquisition Act;”

(2) includes findings regarding the status of Rocky Flats and the desirability of federal acquisition of mineral interests within its boundaries; and

(3) states the bill’s purpose as being to facilitate acquisition of mineral and other rights associated with Rocky Flats.

Section 2 provides definitions of key terms used in the bill.

Section 3—

(1) authorizes the Department of Energy (DOE) to purchase Rocky Flats minerals for fair market value from willing sellers;

(2) requires DOE to consult with the Interior Department in order to determine which mineral rights should be given priority for acquisition; and

(3) provides that acquired mineral rights will be retained in Federal ownership and will not be subject to disposal under the mining or mineral leasing laws.

Section 4—

(1) authorizes DOE to use \$10 million of the FY 2006 funds appropriated for Rocky Flats (and any other funds appropriated for the purpose) to purchase mineral rights;

(2) provides that any claims the State of Colorado might bring under specified provisions of federal law for natural resources damages resulting from past discharges of hazardous substances at or from Rocky Flats will be satisfied by either—(a) DOE’s expenditure of \$10 million to purchase mineral rights at the site or, alternatively, (b) DOE’s payment to specified Federal and State officials (“Trustees”) of either \$10 million or the difference between amounts expended to buy minerals at Rocky Flats and \$10 million; and

(3) specifies that any funds the Trustees receive from DOE are to be used for purchasing Rocky Flats mineral rights or for habitat restoration projects at Rocky Flats, and spells out how this is to be done.

Section 5—provides DOE will retain administrative jurisdiction over any Rocky Flats lands where active mining is taking place and will not transfer those lands to the Interior Department until completion of reclamation under state law.

Section 6—

(1) authorizes the Interior Department to use appropriated funds, credits (with the concurrence of the party transferring lands or interests to the United States), exchanged lands or interests therein, or any combination of these, to acquire mineral interests or other non-Federal interests at Rocky Flats;

(2) defines “credits,” making clear that they can only be used for bonus bids or royalty payments for oil or gas leases on the Outer Continental Shelf, can be transferred, and must be used within 10 years of their issuance;

(3) specifies that while exchanges can involve BLM lands or interests in any State, only lands or interests identified as suitable for disposal under current law can be transferred to private ownership through such an exchange;

(4) specifies that no lands or interests therein outside the exterior boundaries of Rocky Flats can be acquired by the United States for the purposes of the Rocky Flats National Wildlife Refuge Act except with the consent of the owners of such lands or interests;

(5) provides that interests acquired by the United States under the bill will be managed as part of the wildlife refuge and cannot be developed or transferred out of Federal ownership; and

(6) specifies that the bill adds to the Interior Department’s existing authority and does not reduce any authority the Department already has.

founder and president of the Natural Resources Defense Council (NRDC). In 1970, with a small group of lawyers, he created the non-profit NRDC to protect the planet’s wildlife and wild places, and ensure a safe and healthy environment for all living things. As NRDC celebrates its 35th anniversary, Mr. Adams prepares to step down as its president and continue as a senior advisor, pursuing special projects on those issues about which he cares most passionately.

Mr. Adams brought together lawyers, scientists, and policy experts to help build, enforce and reinforce the solid foundation of federal statutes that have provided a legal basis for protecting the environment. Mr. Adams’ tenure with the organization encompasses the creation of pioneering laws like the Clean Air and Clean Water Acts, as well as more recent battles over global warming and energy security.

Nationally and internationally, NRDC became a leader in the fight against acid rain, water pollution, and urban smog. The organization has fostered stronger protections for our oceans, coasts, natural landscapes, forests, and wildlife. Under Mr. Adams’ guidance, the New York-based NRDC has become one of the world’s most effective advocacy organizations, with more than 1 million members and activists and a staff of nearly 300.

Along with his efforts as president of NRDC for 35 years, Mr. Adams taught for 26 years as an adjunct faculty member at New York University Law School, where he created the NYC/NRDC Environmental Law Clinic. He is chairman of the board of the Open Space Institute, created for the protection of land in New York State. He also serves on boards of the Woods Hole Research center, League of Conservation Voters, Centers for American Progress, American Conservation Association, and the Duke University’s Nicholas Institute for Environmental Policy Solutions.

In addition to his great professional success and public service, Mr. Adams is fortunate to share his life with his wife Patricia, to whom he has been married 40 years. Together, they have three grown children.

I commend John H. Adams for his 35 years of protecting the environment, safeguarding our natural resources and protecting our public health. He has created an environmental legacy that will serve to benefit the citizens of the United States for generations to come.

PERSONAL EXPLANATION

HON. DEBORAH PRYCE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 28, 2005

Ms. PRYCE. Mr. Speaker, on vote No. 533 regarding final passage of H.R. 554, the Personal Responsibility in Food Consumption Act, my vote was inadvertently not recorded. Had it been recorded it would have shown an “aye” vote to reflect my strong support for this legislation.

HONORING JOHN H. ADAMS

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 28, 2005

Ms. PELOSI. Mr. Speaker, today I rise to recognize the legacy of John H. Adams, co-